GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Allegation of corruption against Sri Nali Koteswara Rao, S/o Late Kotaiah, age 48 years, Mandal Educational Officer, Ulavapadu Mandal, Prakasam District concerned in Crime No: 02/RCT-ACB-OGL/2019 trapped on 30.09.2019 in the office room of Mandal Educational Officer, Ulavapadu Mandal, Prakasam District – Sanction of prosecution under the Prevention of Corruption Act 1988 (As amended by Act 16 of 2018) – Accorded - Orders – Issued.

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SCHOOL EDUCATION (VIG) DEPARTMENT

G.O.Ms.No.48 **Dated:31.05.2023**

ORDER: -

Whereas, Sri Nali KoteswaraRao, S/o Late Kotaiah, age 48 years, worked as Mandal Educational Officer, Ulavapadu Mandal from 28.03.2017 to 30.09.2019. By virtue of the post held by him he falls under the category of Public Servant as defined under section 2(c) of the Prevention of Corruption Act 1988 (As amended by Act 16 of 2018).

2. And whereas, Sri Badatala Venkata Ramanaiah, S/o late Yalamandaiah, age 57 years, is R/o D.No.9/12, Reddy Bazar, Ulavapadu Village and Mandal, Prakasam District discontinued his studies while studying B.Sc., worked as Supervisor in Pearl Company, Singarayakonda and quit the work as he was suffering from tuberculosis. On 05.05.1995, his marriage was performed with one Kambothu Padmaja, elder daughter of Kambothu Mallikharjuna Rao belongs to Sujathamma Colony, Podalakuru Road, Nellore town. They were blessed with a son namely, Badathala Sriram Teja. His wife Padmaja completed her B.Com, B.Ed. In the year 1996, his wife Padmaja got a job as a Secondary Grade Teacher, Zilla Parishad, Nellore. Initially, his wife Padmaja worked at MPP School, Buja Buja Nellore of Nellore District for 10 years. In the year, 2005 during the inter- district transfers, his wife was transferred to Chakicherla Village, Ulavapadu Mandal, Prakasam District and during the year 2014 his wife was transferred to MPUP School, Alagayapalem Village. On 16.10.2017, his wife died due to ill-health while working at Alagayapalem MPUP School. At that time, his son Sriram Teja who is studying Polytechnic stopped his studies and joined Intermediate. Then, he asked his son to join the job on compassionate grounds but he replied that he would join in the job after completion of his graduation. Thereafter, on 20.07.2019, his son Sriram Teja passed away by committing suicide. After the death of his wife, he applied for family pension, on that, in the month of June-2019 orders were passed to sanction pension as well as the pension arrear amount of Rs.7,67,338/-. In the same month of (June) he requested Sri Koteswara Rao, MEO, Ulavapadu Mandal to sanction other dues i.e. pensionary benefits of his wife. At that time, Sri Koteswara Rao, MEO demanded bribe amount to sanction the pensionary amounts of his wife, for which he replied as he has no money for which Sri Nali Koteswara Rao, MEO replied his work will be done if he pays bribe amount otherwise his work will be delayed. Every 10 days Sri Bhadatala Venkata Ramanaiah used to visit the O/o MEO, Ulavapadu Mandal met Sri Nali Koteswara Rao and enquired about his work but Sri Nali Koteswara Rao told him as he was under work pressure and to come later. In this process, on 16.09.2019, he went to MEO Office, Ulavapadu Mandal, met MEO Sri Nali Koteswara Rao and asked Sri Nali Koteswara Rao about his work. On that Sri Nali Koteswara Rao told him that they prepared the bills of Rs.3,96,270/- about the Earned Leave and Half Pay Leaves of his wife, demanded that if he pays Rs.5,000/- as bribe he will forward the said bill forms to Sub-Treasury Kandukur by keeping his thumb as authentication and Sri Bhadatala Venkata Ramanaiah came out from the place by saying that he does not have that much of money. Sri Bhadatala Venkata Ramanaiah gave a representation to the CEO, Zilla Parishad, Prakasam District with a request to sanction ex-gratia amount of Rs.8 lakhs as he was aged about 57 year to get a job under compassionate grounds as his

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son also died. On 13.09.2019, the DEO, Prakasam District issued proceedings by directing the MEO Ulavapadu for sanctioning of ex-gratia amount to him. After that, on 18.09.2019, at about 10 AM, Sri Bhadatala Venkata Ramanaiah made a phone call to MEO Ulavapadu Sri Nali Koteswara Rao to meet him. But MEO Sri Nali Koteswara Rao told him that at present he was not present in the office, he has some work at Collector Office, unable to meet him for two or three days and asked him to come on later. After that on 20.09.2019 at about 3 PM, he met MEO Sri Nali Koteswara Rao at his Office at Ulavapadu and requested him about his work, at that time Sri Nali Koteswara Rao demanded to pay bribe amount of Rs.10,000/- for forwarding the initial bills (Rs.3,96,270/-) and for sanctioning the ex-gratia amount and instructed to give the bribe amount by coming to his office. On that, he came out from the Office of Sri Nali Koteswara Rao by saying that he will pay the amount later after arranging money. Sri Bhadatala Venkata Ramanaiah got an audio recording of the demand of bribe of Rs.10,000/- by Sri Nali Koteswara Rao on 20.09.2019 through his Cell Phone. Sri Bhadatala Venkata Ramanaiah is unwilling to give bribe amount to Sri Nali Koteswara Rao and decided that it is better to report the matter to ACB than to give bribe amount to MEO Sri Nali Koteswara Rao. Hence, he requested to take necessary action against Sri Nali Koteswara Rao, MEO, Ulavapadu Mandal who demanded bribe amount of Rs.10,000/- about the pensionary amount bill (Earned leave and Half pay leave) Rs.3,96,270/- and for sanctioning of ex-gratia amount and to forward the same to Sub treasury, Kandukur. He submitted a CD containing the recording of the conversation that took place between Sri Bhadatala Venkata Ramanaiah and Sri Nali Koteswara Rao on 27.09.2019 along with the complaint.

3. And whereas, after following due procedure, the Addl. Superintendent of Police, ACB, Guntur i/c ACB, Prakasam District registered the said report as a case in Cr. No. 02/RCT-OGL/2019 u/s 7 (a) of the Prevention of Corruption Act 1988 (As amended by Act 16 of 2018) on 30.09.2019 at 10.00 A.M and took up investigation and made arrangements for laying trap against the MEO, Sri Nali Koteswara Rao. The Pre-Trap Proceedings were held in the O/o DSP, ACB, Ongole on 30.09.2019 in the O/o the DSP, ACB, Ongole and all the formalities were observed during the Pre-Trap Proceedings.

4. And whereas, the Mandal Educational Officer, Sri Nali Koteswara Rao was trapped on 30.09.2019 at 14.00 hours in the office room of Mandal Educational Officer, Ulavapadu Mandal, Prakasam District when he further demanded and accepted the bribe amount of Rs. 10,000/- from Sri Badatala Venkata Ramanaiah for doing an official favour i.e. "forwarding the Earned Leave and Half Pay Leave bills pertaining to the deceased wife of Sri Bhadatala Venkata Ramanaiah Smt.Padmaja who died on 16.10.2017 while she was working as SGT in Alagayapalem (V), Ulavapadu Mandal, Prakasam District for encashment and to sanction the ex-gratia of Rs. 8,00,000/- in lieu of the compassionate appointment of the dependent of the deceased Secondary Grade Teacher (SGT) Smt.Padmaja". Sri Nali Koteswara Rao received the bribe amount with his right hand, counted with his both hands and kept the same in the right side pocket of his pants. The sodium carbonate test conducted on his both hand fingers yielded positive result. The tainted amount of Rs.10,000/- was recovered from the possession of Sri Nali Koteswara Rao. The sodium carbonate test conducted on the inner linings of the right side pocket of his pants yielded positive results. The Mediators counted and compared the serial numbers and denominations of wad of currency notes which are already noted in the pre-trap proceedings and found them tallied. The Addl. SP, ACB seized the said currency amount of Rs.10,000/- along with 3 sealed bottles containing chemical washes and the official favour file relating to Sri Badathala Venkata Ramanaiah which was produced by Sri Nali Koteswara Rao, Mandal Educational Officer and the Addl. SP seized the same and also prepared rough sketch of the scene of offence.

5. And whereas, Sri Nali Koteswara Rao, S/o Late Kotaiah, age 48 years, Mandal Educational Officer, Ulavapadu Mandal, Prakasam District had abused his official

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position opted to corrupt and illegal means and received the bribe amount of Rs.10,000/- from Sri Badathala Venkata Ramanaiah and thereby obtained undue advantage which constitutes an offences punishable u/s 7 (a) of Prevention of Corruption Act 1988 (As amended by Act 16 of 2018).

6. And whereas, the Government of Andhra Pradesh being the competent authority to remove Sri Nali Koteswara Rao, S/o Late Kotaiah, age 48 years, Mandal Educational Officer, Ulavapadu Mandal, Prakasam District from his service, after fully and carefully examining the material viz. Copy of the FIR, Mediator Reports I and II and Final Investigation Report of the Director General, Anti-Corruption Bureau, etc placed before the Government of Andhra Pradesh in respect of the aforesaid allegation and having regard to the facts and circumstances of the case, consider that the above said Sri Nali Koteswara Rao should be prosecuted in a Court of Law.

7. Now, therefore in exercise of the powers conferred under Clause (b) of Sub Section (1) of Section 19 of the Prevention of Corruption Act 1988 (As amended by Act 16 of 2018), the Government of Andhra Pradesh hereby accord sanction for the prosecution of Sri Nali Koteswara Rao, S/o Late Kotaiah, age 48 years, Mandal Educational Officer, Ulavapadu Mandal, Prakasam District for the offence punishable u/s 7 (a) of the Prevention of Corruption Act 1988 (As amended by Act 16 of 2018) and for any other cognate offences punishable under any other provisions of law for the time being in force in respect of the aforesaid acts and for taking cognizance of the said offences by a Court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

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PRAVEEN PRAKASH
PRINCIPAL SECRETARY TO GOVERNMENT

Principal Secretary to Government
School Education Department
A.P. Secretariat, Amaravathi
Velagapudi, Guntur District

To
The Director General,
Anti-Corruption Bureau,
Andhra Pradesh,
Vijayawada

Rev
Gausnoo48
Dt- 31/5/2023

12/06/2023